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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,977	07/28/2003	Brad Hacberle	2003P11247US	7131
7590 05/03/2007				
Siemens Corporation Intellectual Property Department 170 Wood Avenue South Iselin, NJ 08830				
		EXAMINER AUGUSTINE, NICHOLAS		
		ART UNIT PAPER NUMBER 2179		
		MAIL DATE DELIVERY MODE 05/03/2007 PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/628,977	Applicant(s) HAEBERLE ET AL.	
	Examiner Nicholas Augustine	Art Unit 2179	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 12-16, 19-28 and 30-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12-16, 19-28, 30-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some    \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>1/15/2007</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

A. This action is responsive to the following communications: Amendment filed 02/21/2007. **This action is made FINAL.**

B. Claims 1-12, 17 and 29 are cancelled. Claims 37-42 are new.

#### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 13 and 25 recites the limitation "the status" in line 6. There is insufficient antecedent basis for this limitation in the claim.

3. Claim 18 and 30 recites the limitation "the call type" in line 2. There is insufficient antecedent basis for this limitation in the claim.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 12-42 are rejected under 35 U.S.C. 102(a) as being anticipated by Hunter et al (6,363,422 B1).

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**NOTE:** *each proceeding claim note the previous analysis claims as well for further information. Also note the entire reference as a whole and not specific line and column numbers [1].*

As to independent claim 13 and 25, Hunter teaches a computer implemented method and corresponding system for providing information relating to service activity for a plurality of building sites (figure 1 and 7; col.3, lines 20-33): providing a web portal ("intranet") comprising a database (col.8, lines 40-46), and storing service related information about a plurality of building sites in said database (col.10, 64-67 and col.11, lines 1-19), said web portable capable of being operatively connected to one or more clients (figure 7); receiving at said web portal a request for information about the status of service activity for one or more building sites from one or more clients determining at said customer web portal a plurality of service activities that are implicated by said request; communicating from said web portal information implicated by said request such that said information is capable of being on a client display (col.13, lines 17-39 and col.3, lines 53-62).

As to dependent claim 14, Hunter teaches the method and corresponding system according to claim 13 and 25, further comprising receiving a request from a client to display further information about an individual service activity, and communicating said further information such that said information is capable of being displayed on a client display (col.13, lines 17-39 and col.3, lines 53-62).

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As to dependent claim 15, Hunter teaches the method and corresponding system according to claim 13 and 25, wherein said service activity information further comprises information relating to the type of service activity being provided (col.6, lines 20-25 and col.5, lines 54-56).

As to dependent claim 16, Hunter teaches the method and corresponding system according to claim 13 and 25, wherein said service activity information further comprises information about the type of system a service activity is being provided for (col.16, lines 18-21).

As to dependent claim 18, Hunter teaches the method and corresponding system according to claim 13 and 25, wherein service activity information further comprises information about the call type of a service activity (col.13, lines 40-52 and col.15, lines 35-56).

As to dependent claim 19, Hunter teaches the method and corresponding system according to claim 13 and 25, wherein service activity information further comprises information about a plurality of sites in which service activity is being performed (col.3, lines 52-58)

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As to dependent claim 20, Hunter teaches the method and corresponding system according to claim 13 and 25, further comprising receiving a request from a client to obtain further information about an individual building site and communicating said further information about an individual building site such that said information is capable of being displayed on a client display (col.3, lines 52-58 and col.5, lines 54-66).

As to dependent claim 21, Hunter teaches the method and corresponding system according to claim 13 and 25, further comprising receiving a request from a client for information about an individual service order, and communicating said individual service order information such that said individual service order information is capable of being displayed on a client display (col.13, lines 10-16 and col.6, lines 18-31).

As to dependent claim 22, Hunter teaches the method and corresponding system according to claim 13 and 25, wherein said communicated service related information is organized by site (col.13, lines 17-39: by means of known methods well practiced by "Microsoft Excel").

As to dependent claim 23, Hunter teaches the method and corresponding system according to claim 13 and 25, wherein said communicated service related information is organized by system (col.13, lines 17-39: by means of known methods well practiced by "Microsoft Excel").

As to dependent claim 24, Hunter teaches the method and corresponding system according to claim 13 and 25, wherein said communicated service related information is organized by type of service (col. 13, lines 17-39:by means of known methods well practiced by "Microsoft Excel").

As to dependent claim 37, Hunter teaches the method according to claim 18, wherein the call type is preventative maintenance (col.6, lines 16-31).

As to dependent claim 38, Hunter teaches the method according to claim 18, wherein the call type is corrective maintenance (col.15, lines 18-56).

As to dependent claim 39, Hunter teaches the system according to claim 30, wherein the call type is preventative maintenance (col.6, lines 16-31).

As to dependent claim 40, Hunter teaches the system according to claim 30, wherein the call type is corrective maintenance (col.15, lines 18-56).

As to dependent claim 41, Hunter teaches the method according to claim 16, wherein the system is selected from the group comprising HVAC systems, mechanical systems, fire safety systems and security systems (col.13, lines 26-29).

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As to dependent claim 42, Hunter teaches the system according to claim 28, wherein the system is selected from the group comprising HVAC systems, mechanical systems, fire safety systems and security systems (col.13, lines 26-29).

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[1].

***It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (Quoting In re Lemelson, 397 F.2d 1006,1009, 158 USPQ 275, 277 (CCPA 1968)).***

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### **Response to Arguments**

Applicant's arguments with respect to claim 13-42 have been considered but are moot in view of the new ground(s) of rejection.

### **Conclusion**

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of




the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Inquires***

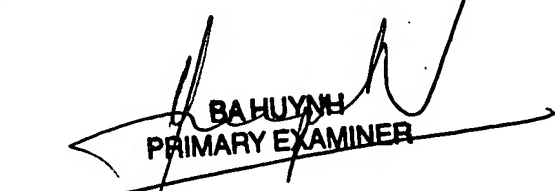
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Augustine whose telephone number is 571-270-1056. The examiner can normally be reached on Monday - Friday: 7:30- 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
N. Augustine  
April 26, 2007

Nicholas Augustine  
Examiner  
AU: 2179

  
BAHUYNH  
PRIMARY EXAMINER